

## PUBLIC HEARINGS

November 17, 2003

PUBLIC HEARINGS were held on Monday, November 17, 2003 at 6:14 p.m. in the Assembly Room of the Berkeley County Office Building, 223 N. Live Oak Drive, South Carolina, to solicit public comment, written or oral, on Bills Numbered 03-58, 03-59, 03-60, 03-61, and 03-71.

Present: Mr. James H. Rozier, Jr., Supervisor-Chairman; Mrs. Judith K. Spooner, Councilmember District No. 2; Mr. William E. Crosby, Councilmember District No. 3; Mrs. Judy C. Mims, Councilmember District No. 6; Mr. Caldwell Pinckney, Jr. Councilmember District No. 7; Mr. Steve C. Davis, Councilmember District No. 8; Mr. D. Mark Stokes, County Attorney, and Ms. Barbara B. Austin, Clerk of County Council.

Pursuant to the Freedom of Information Act, notice of the meeting date, time, place and agenda was posted on the bulletin board at the entrance of the County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina and the Berkeley County Library; also, published in THE POST AND COURIER on October 30, 2003, and November 2, 2003, as evidenced by attached copy of Affidavits of Publication, and a copy of such notice was mailed to all Council Members, the News media, and other interested citizens.

Chairman Rozier called the meeting to order and asked if there were any written comments on any of the items for Public Hearing; and there were none. He stated these Public Hearings were being held to solicit public comment, written or oral on the following:

**1. Bill No. 03-58, An Ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Edwardine Harrell**, 2479 N. Highway 17A, Macedonia, TMS #087-00-05-034, (32.88 acres), **from GC, General Commercial District and F-1, Agricultural District, to LI, Light Industrial District.** Council District No. 6.

Chairman Rozier asked if there were any public comments on Bill No. 03-58; and there were none. The Public Hearing was declared ended at 6:15 p.m.

**2. Bill No. 03-59, An Ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Abbas A. Aman**, 607 Myers Road, Summerville, TMS #222-11-00-066, (1 acre), **from GC, General Commercial District, to R-1MM, Multi-Section Residential District.** Council District No. 4.

Chairman Rozier asked if there were any public comments on Bill No. 03-59; and there were none. The Public Hearing was declared ended at 6:16 p.m.

**3. Bill No. 03-60, An Ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Aaron & Eli Hyman**, Clements Ferry road and 1-526, Wando, TMS #271-00-02-146, (4.96 acres), **from R-IMM, Multi- Section Residential, to GC, General Commercial District.** Council District No. 8.

Chairman Rozier asked for public comments.

Mr. Fred Lincoln of 133 Sarah Lincoln Road, Wando, stated the community's position on this request was that any rezoning of property adjacent to an existing community needs to be carefully examined. Residents who live in the adjacent community have indicated that developers coming off Clement's Ferry Road were not an issue. They recognized that it would be commercial and have agreed not to oppose the rezoning request. Any property adjacent to the existing community is where they draw the line. Mr. Lincoln concluded that they were not opposed to the property at Clement's Ferry Road and I-526.

There being no further comments on Bill No. 03-60, the Public Hearing was declared ended at 6:20 p.m.

**4. Bill No. 03-61, An Ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Robbie & Alan Brunson**, 1030 Cainhoy Road, Wando, TMS #263-00-01-010, (6.18 acres) **from R-2, Mobile Home Residential District, to GC, General Commercial District.** Council District No. 8.

Chairman Rozier asked if there were any public comments.

Mr. Fred Lincoln, 133 Sarah Lincoln Road, Wando, stated they have battled this issue for the past year and a half or two. The community dates back 135 years and at the end of slavery residents in that area acquired property, some of the first former slaves ever owned, and the community is considered historical. These are the only properties in the area considered to be affordable housing, which is very important. The community is very stable and not transient. Mr. Lincoln indicated he doesn't recall homes being sold, family members live among each other and try to maintain their property to secure a mixture of a diverse economically inclined neighborhood. The properties should be protected because there are residents with very little voice or power. He stated the total area is being developed and it is seldom that poor folks own their property. With development encroaching on those communities, it is a direct threat. There are areas in their community with trucking companies five (5) feet away from residences. They did not complain when the companies came, however, they must now draw the line. Mr. Lincoln stated their community is a very valuable asset to Berkeley County and there are no homeless shelters in that area because folks own their property.

He stated County Council is the body that protects them and they have come to them for help.

Councilmember Spooner indicated she was under the impression that this particular parcel bordered commercial.

Chairman Rozier stated it would have to be bordered by commercial in order to have a request for commercial.

Councilmember Crosby stated he understood it was bordered on three sides by commercial.

Mr. Lincoln stated the property on Clement's Ferry Road is commercial. The existing community that the property in question is adjacent to, is not three-sides commercial.

Chairman Rozier indicated this request had been held in Committee and is not up for Third Reading tonight, which would allow Council to examine the details.

Ms. Robbie Brunson of 575 Windridge Circle, Inman, SC, stated she understood Mr. Lincoln would like to have the community remain as is. However, it was not mentioned that the residents living on the said property are zoned commercial. She stated they are bordered three-sides commercial. There has been vandalism on several occasions and they cannot use their property at all. They are paying higher taxes and mortgage, and she is angry. They do not live in this area because her husband is deployed with the military. She stated she understands the community wants to preserve their area and "that is fine." However, she would be more than willing to put a grocery store.... or if they could bring someone.... they just want to lease the property. Ms. Brunson stated she should not be penalized because they are in the military and cannot live on the property. The road has been designated as industrial and there is a bar three tenths of a mile up the road. There is commercial property within a half-mile radius with close to 38 properties zoned commercial. The neighborhood has changed, but they did not change it, it changed around them. "So, are we supposed to sit on the property and not be able to use it, but pay a mortgage?" The people who live there should be able to keep their homes, but there is a garage in the middle of the neighborhood. Ms. Brunson stated their property is not in the middle of the neighborhood, they are on Cainhoy Road. They are two-tenths of a mile from Clement's Ferry Road and have one entrance. She stated that she was only asking to be treated fairly. They had initially spoken with the neighborhood and when they cleared the property they left a buffer of trees, yet, they are still getting opposition; "something is very wrong." Ms. Brunson reiterated that she was willing to work with the community and would be willing to put whatever they want on the property if they would help her find someone.

Ms. Yvonne Lincoln of 1278 Jack Primus Road, Cainhoy, stated her mother resides at 1198 Clement's Ferry Road, which is on the corner of the property in question. She stated there was a garage on Clement's Ferry Road, but not on Cainhoy Road. Brewster's Bar was formerly down the street from the property mentioned, but the potential rezoning of the property in question sits between houses, which is a residential area. The road is industrial due to Nucor and BP Amoco. Ms. Lincoln stated she visits her mother during the day and the noise and fumes from the trucks are almost unbearable. They've tried to make the best of the situation, but for someone to come in and put a business between or next to a residential area and ask them to be considerate, she disagrees. They are asking that the area remain residential so that the residents in the community may be able to enjoy a little more peace than what they are currently experiencing. She stated they were not against changes but they need to be comfortable in their homes. Ms. Lincoln stated they are asking that Council vote to allow this property to remain residential.

Ms. Robbie Brunson of 575 Windridge Circle, Inman, SC stated it was her understanding that Ms. Lincoln grandmother's land is zoned commercial.

Chairman Rozier indicated all comments would be considered when they check on the details.

Mr. Fred Lincoln of 133 Sarah Lincoln Road, Wando, stated he has family members in the military as well as people in the audience. In fact, his only child is in the military and if that is going to give him a vote, "I know we have it hands down." Certain areas were rezoned without the residents' permission. There were mistakes made in the rezoning to some extent because there was no request. Where the vandalism took place, the home had been abandoned for a long period of time.

There being no further comments on Bill No. 03-61, the Chairman declared the Public Hearing ended at 6:35 p.m.

**5. Bill No. 03-71, An Ordinance** to amend the Budget of the **Berkeley County Special Fire Tax District**, Ordinance Number 03-06-37, by providing for distribution other than those previously approved.

Chairman Rozier asked if there were any public comments on Bill No. 03-71; and there were none. The Public Hearing was declared ended at 6:35 p.m.

S/Barbara B. Austin  
Clerk of County Council

December 15, 2003  
Date Approved

## AGENDA FOR PUBLIC HEARINGS

**Public Hearings** to solicit public comment, written or oral, will be held on **Monday November 17, 2003**, immediately following the meeting of the Committee on Finance and the Special meeting of the Committee on Planning and Development, at 6:00 p. m., in the **Assembly Room, Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, S. C.**, regarding the following:

### CALL TO ORDER

**1. Bill No. 03-58, An Ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Edwardine Harrell**, 2479 N. Highway 17A, Macedonia, TMS #087-00-05-034, (32.88 acres), **from GC, General Commercial District and F-1, Agricultural District, to LI, Light Industrial District.** Council District No. 6.

### PUBLIC DISCUSSION

**2. Bill No. 03-59, An Ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Abbas A. Aman**, 607 Myers Road, Summerville, TMS #222-11-00-066, (1 acre), **from GC, General Commercial District, to R-1MM, Multi-Section Residential District.** Council District No. 4.

### PUBLIC DISCUSSION

**3. Bill No. 03-60, An Ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Aaron & Eli Hyman**, Clements Ferry road and 1-526, Wando, TMS #271-00-02-146, (4.96 acres), **from R-1MM, Multi- Section Residential, to GC, General Commercial District.** Council District No. 8.

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**4. Bill No. 03-61, An Ordinance** to modify the official Zoning and Development Standards Map of Berkeley County, South Carolina, Re: **Robbie & Alan Brunson**, 1030 Cainhoy Road, Wando, TMS #263-00-01-010, (6.18 acres) **from R-2, Mobile Home Residential District, to GC, General Commercial District.** Council District No. 8.

### PUBLIC DISCUSSION

**5. Bill No. 03-71, An Ordinance** to amend the Budget of the **Berkeley County Special Fire Tax District**, Ordinance Number 03-06-37, by providing for distribution other than those previously approved.

**PUBLIC DISCUSSION**

**ADJOURNMENT**

November 12, 2003  
S/Barbara B. Austin  
Clerk of County Council